

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

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CRIMINAL NO. 1: CR-01-018

v.

GEOVANNI DAVILA

ORDER

Before the court is Petitioner's motion for to vacate, set aside, or correct a sentence pursuant to 28 U.S.C. § 2255, a motion for appointment of counsel and for a private investigator, and a motion for discovery.

Petitioner has filed a notice of election stating he wants to proceed on the matter as filed. Upon consideration thereof, **IT IS HEREBY ORDERED**

THAT:

- 1) Petitioner is granted leave to proceed *in forma pauperis*.
- 2) Respondents shall show cause within twenty (20) days of the date of this order why Petitioner should not be granted habeas corpus relief.
- 3) Petitioner shall, if he so desires, file a reply to the response to the show-cause order within fifteen (15) days of its filing.
- 4) Petitioner's motion for appointment of counsel is granted and attorney Dennis Boyle, 1525 Cedar Cliff Drive, Camp Hill, PA 17011, telephone number 717-737-2430, is appointed to represent Defendant for purposes of the motion pursuant to 28 U.S.C. § 2255.
- 5) The Clerk of Court shall prepare the appropriate paperwork and forward it as soon as possible to attorney Boyle.

6) Petitioner's motion as it pertains to a private investigator is denied without prejudice to appointed counsel to seek same for good cause shown.

7) Petitioner's motion for discovery is denied without prejudice to appointed counsel to seek same for good cause shown.

8) A hearing on the motion to vacate, set aside or correct sentence will be held on Thursday, October 20, 2005, at 2:00 p.m. in Courtroom No. 3, Eighth Floor, Federal Building, Third and Walnut Streets, Harrisburg, Pennsylvania.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: August 16, 2005.